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Notice of Allowability

Application No.

10/630,055

Examiner

Zoila E. Cabrera

Applicant(s)

WALTHALL, JIM

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/29/04.
2. ☒ The allowed claim(s) is/are 1-15 and 21-26.
3. ☒ The drawings filed on 29 November 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-15 and 21-26 are allowed.

The following is an examiner's statement of reasons for allowance:

(a) Applicants' arguments of October 25, 2004, Pages 13 and 14, have been persuasive.

(b) The allowability of the claims resides, at least in part, that the closest prior art of record **Dundorf (US 5,703,782)** does not disclose or suggest, alone or in combination the step of:

Regarding independent claim 1, **projecting said three-dimensional illustration further comprising assigning a depth of cut per pixel distributed across a selected machining area; machining, in three-dimensional fashion, a three-dimensional surface within said solid corresponding to said illustration; and shading said three-dimensional surface of said solid according to selected depths of machining**, in combination with the other elements and features of the claimed invention.

As for independent claim 21, **machining, in three-dimensional fashion, a three-dimensional surface within said solid corresponding to said illustration; forming recessed surfaces on a non-machined surface of said solid; and shading said three-dimensional surface of said solid according to selected depths of machining**, in combination with the other elements and features of the claimed invention.

As for independent claim 22, **machining, in three-dimensional fashion, a three-dimensional surface within said solid corresponding to said illustration; securing fastener receiving mounting studs to a non-machined surface; and shading said three-dimensional surface of said solid according to selected depths of machining**, in combination with the other elements and features of the claimed invention.

As for independent claim 23, **said step of projecting said three-dimensional illustration further comprising assigning a depth of cut per pixel distributed across a selected machining area, said step of assigning a depth of cut per machining area further comprising assigning at least 200 pixels per square inch of area**, in combination with the other elements and features of the claimed invention.

As for independent claim 24, **said step of projecting said three-dimensional illustration further comprising assigning a depth of cut per pixel distributed across a selected machining area, said step of assigning a depth of cut further comprising establishing a scale of 0-255 projected into an intermediate location of said solid**, in combination with the other elements and features of the claimed invention.

As for independent claim 25, **forming at least one recessed locating surface on a non-machined surface of said solid; immersing said machined solid into an oxide bath; abrading a darkened coating formed by said oxide bath upon said three-dimensional surface and in order to shade said solid according to**

individual depths of cut, in combination with the other elements and features of the claimed invention.

As for independent claim 26, **securing fastener receiving mounting studs to a non-machined surface of said solid according to a capacitor discharge arc welding process; immersing said machined solid into an oxide bath; abrading a darkened coating formed by said oxide bath upon said three-dimensional surface and in order to shade said solid according to individual depths of cut**, in combination with the other elements and features of the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zoila E. Cabrera whose telephone number is 571-272-3738. The examiner can normally be reached on M-F from 8:00 a.m. to 5:30 p.m. EST (every other Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard, can be reached on (571) 2723749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any

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inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is 703-305-9600.

Zoila Cabrera
Patent Examiner
May 13, 2005

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Primary Examiner 2160
Technology Center 2800

JN Gandhi
5/16/05